

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON REDMOND,

Defendant.

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CIVIL ACTION NO.
1:15-CR-0284-AT-3

ORDER

Presently before the Court are Defendant's Motion for Bond [Doc. 490], Request for Ruling on Motion for Bond [Doc. 575], and Magistrate Judge John K. Larkins' Report and Recommendation ("R&R") [Doc. 565] recommending that the Court deny Defendant's *pro se* Motion to Dismiss Case [Doc. 531] as well as the Motion to Dismiss Indictment filed by Defendant's counsel. [Doc. 551]. As Defendant has filed Objections to the R&R [Doc. 568], the Court will address the Report and Recommendation first.

A district judge has broad discretion to accept, reject, or modify a magistrate judge's proposed findings and recommendations. United States v. Raddatz, 447 U.S. 667, 680 (1980). Pursuant to 28 U.S.C. § 636(b)(1), the Court reviews any

portion of the R&R that is the subject of a proper objection on a *de novo* basis and any non-objected portion on a “clearly erroneous” standard. Accordingly, the Court has reviewed the Defendant’s Motions on a *de novo* basis as Defendant’s objections go to the essence of the Magistrate Judge’s evidentiary and legal analysis supporting the R&R’s conclusions.


The Court has considered the legal and evidentiary analysis provided by the Magistrate Judge’s Report and Recommendation as well as Defendant’s Objections and finds that the Magistrate Judge’s determination is correct and Defendant’s *pro se* Motion to Dismiss Case [Docs. 531] as well as the Motion to Dismiss Indictment [Doc. 551] are **DENIED**.

The Court now addresses Defendant’s Motion for Bond [Doc. 490] and Request for Ruling on Motion for Bond [Doc. 575]. While the Defendant has introduced reasonable evidence concerning the appropriateness of his mother’s home in Tennessee as a temporary residence if bond were granted, the Court continues to view the serious nature of the charges involving violence and threats of violence as well as the testimony at the bond hearing regarding the intimidation and threats of violence during the incidents at issue as posing problematic obstacles to the grant of bond. Both the charges and the evidence together indicate that there is too great a risk to public safety and the witnesses who may testify at

trial to authorize the Court's grant of bond. Therefore, Defendant's Request for Ruling on Motion for Bond [Doc. 575] is **GRANTED** and Defendant's Motion for Bond [Doc. 490] is **DENIED**.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court [Doc. 565]. For the reasons stated in the in the Magistrate Judge's Report and Recommendation, the Court **DENIES** Defendant's *pro se* Motion to Dismiss Case and his counsel's Motion to Dismiss Indictment [Docs. 531 and 551]. Additionally, Defendant's Request for Ruling on Motion for Bond [Doc. 575] is **GRANTED** and Defendant's Motion for Bond [Doc. 490] is **DENIED**. This is set for trial on Monday, August 2, 2021, at 9:30 AM in Courtroom 2308 [Doc. 593].

It is **SO ORDERED** this 3rd day of June, 2021.



AMY TOTENBERG
UNITED STATES DISTRICT JUDGE